

## State Water Resources Control Board

January 11, 2016

(Via email and Certified Mail)

**CERTIFIED MAIL**

**NO. 7015 1520 0001 8019 5128**

Mr. Joel Munoz, Superintendent  
Pixley Union School District  
300 North School Street  
Pixley, California 93256  
[jmunoz@pixley.k12.ca.us](mailto:jmunoz@pixley.k12.ca.us)

**SUBJECT: FAILURE TO COMPLY; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT 300 NORTH SCHOOL STREET, PIXLEY**

Dear Mr. Munoz:

As of the date of this letter, the State Water Resources Control Board (State Water Board) has not received a response to our November 13, 2015 Notice of Violation (NOV)(attached). You are directed to correct the ongoing violations identified in the NOV and submit compliance documentation to the State Water Board and County of Tulare County Environmental Health Services within ten (10) days from the date of this letter.

Please send all compliance documentation to the following:

**State Water Board**

Mr. Thomas Henderson  
UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
1001 I Street, 16<sup>th</sup> Floor  
Sacramento, California 95814  
[tom.henderson@waterboards.ca.gov](mailto:tom.henderson@waterboards.ca.gov)

**Local CUPA**

Mr. Joel Martens  
Program Manager  
Tulare County Environmental Health  
5957 South Mooney Boulevard  
Visalia, California 93277  
[jmartens@tularehhsa.org](mailto:jmartens@tularehhsa.org)

Failure to comply with this notice may result in an enforcement action by the State Water Board. The State Water Board reserves the right to bring an action against the owner and/or operator of the tank(s) in violation, or it may recommend that County of Tulare County Environmental Health Services pursue enforcement, or County of Tulare County Environmental Health Services may elect to pursue enforcement independently.

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at [Amantha.Henkel@waterboards.ca.gov](mailto:Amantha.Henkel@waterboards.ca.gov).

Sincerely,



Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

Attachment: November 13, 2015 Notice of Violation

cc: *(via email only)*

Mr. Joel Martens  
Program Manager  
Tulare County Environmental Health  
[jmartens@tularehhsa.org](mailto:jmartens@tularehhsa.org)

State Water Resources Control Board

November 13, 2015

(Via email and Certified Mail)  
**CERTIFIED MAIL**  
**NO. 7015 0640 0006 0950 4407**

Mr. Joel Munoz, Superintendent  
Pixley Union School District  
300 North School Street  
Pixley, California 93256  
[jmunoz@pixley.k12.ca.us](mailto:jmunoz@pixley.k12.ca.us)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT 300 NORTH SCHOOL STREET, PIXLEY**

Dear Mr. Munoz:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on November 4, 2015 pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and title 23, California Code of Regulations (CCR), chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Notify Local Agency of Designated Operator</b> – Statement of Designated Operator was not available at the time of inspection.	All	November 4, 2015	Ongoing	23 CCR 2715(a)
2	<b>Failure to Perform Designated Operator Inspection</b> – The monthly designated operator inspection was not performed in October 2015.	All	October 31, 2015	Ongoing	23 CCR 2715(c)
3	<b>Failure to Maintain Financial Responsibility Onsite</b> – Current financial responsibility and chief financial officer letters were not available at the time of inspection.	All	November 4, 2015	Ongoing	23 CCR 2712(i)
4	<b>Failure to Maintain Testing Records Onsite</b> – The annual monitoring certifications for 2013 and 2015 and the secondary containment test results for 2013 were not available at the time of inspection.	All	November 4, 2015	Ongoing	H&SC 25293; 23 CCR 2712(b), 2715(e)



No.	Violation	Tank	Start Date	Stop Date	Regulation
5	<b>Failure to Maintain Response Plan –</b> The response plan maintained on site does not have a CUPA approval signature.	All	November 4, 2015	Ongoing	23 CCR 2632(d)(2), 2634(e), 2641(h)
6	<b>Failure to Tag Monitoring Equipment –</b> Annular sensors are missing the tags from most recent monitoring certification.	All	November 4, 2015	Ongoing	23 CCR 2638(f), 2641(j)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and County of Tulare County Environmental Health Agency within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**

Mr. Thomas Henderson  
UST Enforcement Unit  
State Water Resources Control Board  
1001 I Street, 16<sup>th</sup> Floor  
Sacramento, California 95814  
[tom.henderson@waterboards.ca.gov](mailto:tom.henderson@waterboards.ca.gov)

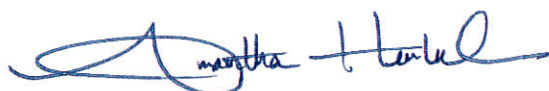
**Local CUPA**

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Program Manager  
Tulare County Environmental Health  
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If you have any questions, please contact me at (916) 341-5551, or by email at [amantha.henkel@waterboards.ca.gov](mailto:amantha.henkel@waterboards.ca.gov).

Sincerely,



Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

cc: (via email only)

Mr. Joel Martens  
Program Manager  
Tulare County Environmental Health  
[jmartens@tularehhsa.org](mailto:jmartens@tularehhsa.org)